IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 290 of 2006 (S/B)

Madan Singh Jirwan S/o Sri Gyan Singh Jirwan
Junior Engineer (Civil), Temporary Division,
P.W.D. Srinagar, H.Q. Kirtinagar,
District Tehri Garhwal. ……. Petitioner

Versus

1. State of Uttaranchal through Secretary,
   P.W.D., Dehradun.
2. Chief Engineer, Level I,
   Uttaranchal, P.W.D. Dehradun.
3. Chief Engineer (Garhwal Region),
   P.W.D. Pauri Garhwal.
4. Himmat Singh Rawat S/o Sri Sher Singh Rawat,
   National Highway Circle, P.W.D., Haldwani.
5. Rajeev Gurani S/o Sri Nanda Valabh,
   National Highway Circle,
   P.W.D., Haldwani.
6. Mohamad Yusuf S/o Sri Mohamad Ali,
   Public Work Department, Haridwar.
7. Devendra Sha S/o Sri Shayam Lal Sha,
   Temporary Division, P.W.D., Thatyur,
   Tehri Garhwal. …….. Respondents

Mr. M.S. Chauhan, Advocate for the petitioner.
Mr. N.B. Tewari, Chief Standing Counsel for respondents Nos. 1 to 3.
Mr. Prabhakar Joshi, Advocate for respondents Nos. 4 to 7.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Rajesh Tandon, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. M.S. Chauhan, Advocate for the petitioner.

Mr. N.B. Tewari, Chief Standing Counsel for respondents Nos. 1 to 3.

Mr. Prabhakar Joshi, Advocate for respondents Nos. 4 to 7.

2. Mr. M.S. Chauhan, the learned counsel for the petitioner, in view of the judgment dated 22.09.2006 passed in Writ Petition No. 630 of 2006 (S/S), seeks permission to withdraw the writ petition with the liberty of filing a claim petition before the Public Services Tribunal and to seek condonation of the delay, if any, on the ground

that the petitioner was pursing this writ petition under bonafide belief.

3. Permission granted.

4. With the above liberty, the writ petition is dismissed as withdrawn.

5. Consequently, CLMA No. 11971 of 2006 also stands dismissed as withdrawn.

(Rajesh Tandon, J.) 25.9.2006

(Rajeev Gupta, C.J.) 25.09.2006

G